

2025R00205/TA

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Tonianne J. Bongiovanni
v. : Mag. No. 25-mj-3011 (TJB)
EDUARDO HERNANDEZ-REYES : **CRIMINAL COMPLAINT**

I, Ellen Chao, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Deportation Officer of the United States Department of Homeland Security, Immigration and Customs Enforcement, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.

s/ Ellen Chao

Ellen Chao
Deportation Officer
United States Department of
Homeland Security, Immigration
and Customs Enforcement

Attested to me by telephone, pursuant to FRCP 4.1(b)(2)(A),

March 14, 2025

Date

District of New Jersey

Honorable Tonianne J. Bongiovanni
United States Magistrate Judge
Name & Title of Judicial Officer

Tonianne J. Bongiovanni
Signature of Judicial Officer

ATTACHMENT A

(Illegal Reentry to the United States)

On a date on or after December 26, 2016, and on or before February 20, 2025, in Ocean County, in the District of New Jersey, and elsewhere, the defendant,

EDUARDO HERNANDEZ-REYES,

an alien who had been deported and removed and had departed the United States while an order of deportation and removal was outstanding, without the express consent of the Secretary of Homeland Security or the Attorney General of the United States to reapply for admission prior to his reembarkation at a place outside the United States, did knowingly and voluntarily enter and, on or about February 20, 2025, was found in the United States.

In violation of Title 8, United States Code, Section 1326(a).

ATTACHMENT B

I, Ellen Chao, am a Deportation Officer with the United States Department of Homeland Security, Immigration and Customs Enforcement. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and in part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. At all times relevant to this Complaint, defendant EDUARDO HERNANDEZ-REYES ("HERNANDEZ-REYES"), was an alien and a citizen and national of Mexico, and not a citizen of the United States.

2. On or before December 15, 2016, HERNANDEZ-REYES illegally entered the United States by crossing the border from Mexico into the state of Texas.

3. On or about December 16, 2016, HERNANDEZ-REYES was arrested by a United States Border Patrol Agent in Eagle Pass, Texas.

4. On or about December 16, 2016, HERNANDEZ-REYES was determined to be an inadmissible alien and ordered removed from the United States by a United States Border Patrol Agent.

5. On or about December 26, 2016, HERNANDEZ-REYES was removed from the United States to Mexico, pursuant to the order of removal. HERNANDEZ-REYES had remained in continuous custody between his arrest on December 16, 2016, and his removal on December 26, 2016.

6. Thereafter, on an unknown date, HERNANDEZ-REYES knowingly and voluntarily reentered the United States without permission.

7. On or about February 20, 2025, HERNANDEZ-REYES was arrested in Jackson Township, New Jersey, and charged with Possession of a Controlled Dangerous Substance, in violation of N.J.S.A. § 2C:35-10.

8. Officers of United States Immigration and Customs Enforcement were notified, and an Immigration Detainer-Notice of Action was issued for

HERNANDEZ-REYES on or about February 21, 2025. HERNANDEZ-REYES was arrested and processed that same day.

9. Officers of the Department of Homeland Security, Homeland Security Investigations Forensic Laboratory conducted an analysis of fingerprints taken from HERNANDEZ-REYES at, among other times, his signing of the Verification of Removal form on or about December 23, 2016 in Texas, and his arrest on February 21, 2025 in New Jersey, and confirmed that HERNANDEZ-REYES was the same individual who produced both sets of fingerprints.

10. Neither the Attorney General nor the Secretary of Homeland Security of the United States expressly consented to HERNANDEZ-REYES reapplying for admission to the United States prior to his reembarkation at a place outside the United States or his entry into the United States.